

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

FILED
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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIV. DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

GEORGE M. GIBBS III,

Defendant.

: Case No.
:
: I N D I C T M E N T
:
: 18 U.S.C. § 2252(a)(2)
: 18 U.S.C. § 2252(a)(4)(B)
: FOREFEITURE
:
:
:
:

MICHAEL J. NEWMAN

The Grand Jury charges:

COUNTS ONE THROUGH THREE

[18 U.S.C. §§ 2252(a)(2) & 2252(b)(1)]

On or about the dates set forth below, in the Southern District of Ohio, defendant **GEORGE M. GIBBS III** knowingly and intentionally distributed one or more visual depictions -- namely, the images depicted in the computer files identified below with each file constituting a separate count -- using any means and facility of interstate and foreign commerce, and which visual depictions had been shipped and transported in and affecting interstate and foreign commerce, and which visual depictions contained materials which have been mailed and so shipped and transported by any means including by computer, the production of such visual depictions having involved the use of

one or more minors engaging in sexually explicit conduct and such visual depictions were of such conduct:

<u>COUNT</u>	<u>DATE</u>	<u>FILE</u>
ONE	11/25/2020	2d732b33-56d1-4fcc-a9d8-08010ebf9711.mp4
TWO	11/26/2020	596bd31d-1e40-41ee-b353-fc2d5716c187.mp4
THREE	11/27/2020	6bd8eaa1-7dee-44b7-96f0-405e02cf016d.mp4

In violation of Title 18, United States Code, Sections 2252(a)(2) & 2252(b)(1).

COUNT FOUR

[18 U.S.C. §§ 2252(a)(2) & 2252(b)(1)]

On or about the date set forth below, in the Southern District of Ohio, defendant **GEORGE M. GIBBS III** knowingly and intentionally received one or more visual depictions using any means and facility of interstate and foreign commerce, and which visual depictions had been shipped and transported in and affecting interstate and foreign commerce, and which visual depictions contained materials which have been mailed and so shipped and transported by any means including by computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct and such visual depictions were of such conduct:

<u>COUNT</u>	<u>DATE</u>	<u>FILE</u>
FOUR	7/17/2021	VID-20201008-WA0053.mp4

In violation of Title 18, United States Code, Sections 2252(a)(2) & 2252(b)(1).

COUNT FIVE

[18 U.S.C. §§ 2252(a)(4)(B) & 2252(b)(2)]

On or about August 27, 2021, in the Southern District of Ohio, defendant **GEORGE M. GIBBS III** knowingly and intentionally possessed matter containing one or more visual depictions -- namely, images in digital files -- that had been mailed and shipped and transported using a means and facility of interstate and foreign commerce and in and affecting commerce, and which were produced using materials which had been mailed and so shipped and transported by any means including a computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct, and such visual depictions were of such conduct.

It is further alleged that one or more visual depictions involved in the offense involved a prepubescent minor or a minor who had not attained 12 years of age.

In violation of Title 18, United States Code, Sections 2252(a)(4)(B) & 2252(b)(1).

FORFEITURE ALLEGATION

Upon conviction of any offense set forth in Counts One through Five of this Indictment, defendant **GEORGE M. GIBBS III** shall forfeit to the United States pursuant to 18 U.S.C.

§ 2253(a): (1) any visual depiction described in section 2251, 2251A, 2252, 2252A, 2252B or 2260 of Chapter 110 of Title 18 of the United States Code, or any book, magazine, periodical, film, videotape or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Chapter 110 of Title 18 of the United States Code; (2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense(s); and (3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense(s) or any property traceable to such property, including but not limited to the following:

- Western Digital WD My Passport 2626 portable hard drive, serial number WX22AA094YJV, 2 TB;
- Four Micro SD cards, 2 GB;
- SanDisk Ultra SD card, 128 GB SD card;
- Acer laptop, Model N17P6, Serial #NXH3GAA00183701EFD7200, and power cord; and
- Samsung Galaxy A51 cellular telephone bearing Model SM-A515U1, serial number R58N5387G8Z, and IMEI number 354563110435640.

SUBSTITUTE ASSETS

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b), to seek forfeiture of any other property of the defendant, up to the value of the property described above.

A TRUE BILL



Foreperson

VIPAL J. PATEL
Acting United States Attorney



BRENT G. TABACCHI
Assistant United States Attorney